

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA :
 :
 v. : 1:21CR 318 -1
 :
 HERBERT BROOKS HUMPHRIES, III :

The Grand Jury charges:

COUNT ONE

On or about July 28, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly did possess firearms as defined by Title 26, United States Code, Section 5845(a) and 5845(b), that is, two auto sears, which constituted a part designed and intended for use in converting a firearm into a machinegun, and which had not been registered to him in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Section 5841; in violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871.

COUNT TWO

On or about July 30, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly did possess firearms as defined by Title 26, United States Code, Section 5845(a) and 5845(b), that is, five auto sears, which constituted a part designed and

intended for use in converting a firearm into a machinegun, and which had not been registered to him in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Section 5841; in violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871.

COUNT THREE

On or about July 30, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly did possess in and affecting commerce a firearm, that is, a Remington .30-06 caliber rifle, having been convicted of a crime punishable by imprisonment for a term exceeding one year, and with knowledge of that conviction; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FOUR

On or about August 3, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly did possess firearms as defined by Title 26, United States Code, Section 5845(a) and 5845(b), that is, ninety-five auto sears, which constituted a part designed and intended for use in converting a firearm into a machinegun, and which had not been registered to him in the National Firearms Registration and Transfer Record as required by Title 26, United States Code, Section 5841; in violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871.

COUNT FIVE

On or about August 3, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly and intentionally did unlawfully distribute a quantity of a mixture and substance containing a detectable amount of cocaine hydrochloride, a Schedule II controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

COUNT SIX

On or about August 3, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly and intentionally did unlawfully distribute a quantity of marihuana, a Schedule I controlled substance within the meaning of Title 21, United States Code, Section 812; in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(D).

COUNT SEVEN

On or about August 3, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, in furtherance of drug trafficking crimes for which he may be prosecuted in a court of the United States, that is, distribution of cocaine hydrochloride and marihuana, as more fully referenced in Counts Five and Six of this Indictment,

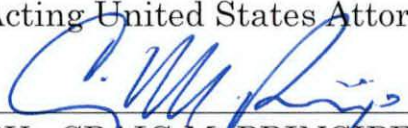
did knowingly possess a firearm, that is, a Ruger .38 caliber handgun; in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT EIGHT

On or about August 3, 2020, in the County of Cabarrus, in the Middle District of North Carolina, HERBERT BROOKS HUMPHRIES, III, knowingly did possess in and affecting commerce a firearm, that is, a Ruger .38 caliber handgun, having been convicted of a crime punishable by imprisonment for a term exceeding one year, and with knowledge of that conviction; in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

DATED: August 30, 2021

SANDRA J. HAIRSTON
Acting United States Attorney


BY: CRAIG M. PRINCIPE
Assistant United States Attorney

A TRUE BILL: 

FOREPERSON (_____